



1634

#11

CD

11/14/02

CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the U.S. Postal Service with sufficient postage as first class, mail in an envelope addressed to: Commissioner for Patents, Washington, D.C. 20231, on 11/14/02

Danielle Prouty

Danielle Prouty

PATENT

Attorney Docket No. 20781-703

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application

Inventor(s): Ching Jin Oon

Application No.: 09/870,358

Filed: May 30, 2001

Title Diagnostic Assay

PATENT APPLICATION

Art Unit: 1634

Examiner: Unassigned

RECEIVED
NOV 13 2002
TECH CENTER 1600/2900

INFORMATION DISCLOSURE STATEMENT UNDER 37 C.F.R. §1.97

Commissioner for Patents
Washington, D.C. 20231

Sir:

Listed below or on an attached Form PTO-1449 is information known to applicant(s). A copy of each listed publication and U.S. and foreign patent, except for pending U.S. applications, is being submitted herewith, along with a concise explanation of information in a foreign language, if any, pursuant to 37 C.F.R. §1.97-1.98.

Applicants respectfully request that the listed information be considered by the Examiner and be made of record in the above-identified application. If form PTO-1449 is enclosed, the Examiner is requested to initial and return it in accordance with MPEP §609.

This statement is not intended to represent that a search has been made or that the information cited in the statement is, or is considered to be, material to patentability as defined in §1.56.

☐ This statement qualifies under 37 C.F.R. §1.97, subsection (b) because (check all that apply):

☐ (1) It is being filed within 3 months of the application filing date and is other than a continued prosecution application under § 1.53(d)

-- OR --

☐ (2) It is being filed within 3 months of entry of a national stage

-- OR --

☐ (3) It is being filed before the mail date of the first Office Action on the merits

-- OR --

☐ (4) It is being filed before the mailing of a first Office Action after the filing of a request for continued examination under § 1.114.

☒ 37 C.F.R. §1.97(c). If this statement is being filed after the latest of: (1) three months beyond the filing date of a national application; (2) three months beyond the date of entry of the national stage as set forth in §1.491 in an international application; or (3) the mailing date of a first Office action on the merits, but before the mailing date of the earlier of a final office action under §1.113 or a notice of allowance under §1.311, then:

☒ a certification as specified in §1.97(e) is provided below; or

☐ a fee of \$180.00 as set forth in §1.17(p) is authorized below, enclosed, or included with the payment of other papers filed together with this statement.

☐ 37 C.F.R. §1.97(d). If this statement is being filed after the mailing date of the earlier of a final office action under §1.113 or a notice of allowance under §1.311, but before payment of the issue fee, then:

A. a certification as specified in §1.97(e) is completed below; and

B. a petition under 37 C.F.R. §1.97(d) requesting consideration of this statement is submitted herewith; and

C. a fee of \$130.00 as set forth in §1.17(i)(1) is authorized below, enclosed, or included with the payment of other papers filed together with this statement.

☒ **Fee Authorization.** The Commissioner is hereby authorized to charge the above-referenced fees of \$0.00 and charge any additional fees or credit any overpayment associated with this communication to Deposit Account No. 23-2415 (Docket No. 20781-703).

Respectfully submitted,

WILSON SONSINI GOODRICH & ROSATI

Dated: 11/4/02

By: 

U.P. Peter Eng, Reg. No. 39666

650 Page Mill Road
Palo Alto, CA 94304-1505
(650)493-9300
Customer No. 021971



RECEIVED

NOV 13 2002

TECH CENTER 1600/2900

CERTIFICATION

(Attachment to Information Disclosure Statement)

- ☐ 37 C.F.R. §1.97(e)(1). **APPLICANT'S UNDERSIGNED ATTORNEY HEREBY CERTIFIES THAT** each item of information contained in this information disclosure statement was cited in a communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of the statement; or
- ☒ 37 C.F.R. §1.97(e)(2). **APPLICANT'S UNDERSIGNED ATTORNEY HEREBY CERTIFIES THAT** no item of information contained in this information disclosure statement was cited in a communication from a foreign patent office in a counterpart foreign application or, to the knowledge of the person signing this certification after making reasonable inquiry, was known to any individual designated in §1.56(c) more than three months prior to the filing of this statement.

Respectfully submitted,

Dated: 11/4/02

By: 

U.P. Peter Eng, Reg. No. 39,666

650 Page Mill Road
Palo Alto, CA 94304-1050
(650) 493-9300

Customer No. 021971



RECEIVED

NOV 13 2002

TECH CENTER 1600/2900

SHEET 1 OF 2

INFORMATION DISCLOSURE CITATION PTO-1449			ATTY. DOCKET NO. 20781-703		SERIAL NO. 09/870,358		
			APPLICANT Ching Jin Oon				
			FILING DATE 5/30/01		GROUP 1634		
U.S. PATENT DOCUMENTS							
EXAMINER'S INITIALS	PATENT NO.	DATE	NAME	CLASS	SUBCLASS	FILING DATE	
FOREIGN PATENT DOCUMENTS							
EXAMINER'S INITIALS	PATENT NO.	DATE	COUNTRY	CLASS	SUBCLASS	TRANSLATION	
						YES	NO
						<input type="checkbox"/>	<input type="checkbox"/>
						<input type="checkbox"/>	<input type="checkbox"/>
OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, Etc.)							
	Noppornpanth, S. et al., <i>Southeast Asian J Trop Med Public Health</i> , 2000, 31 (2), pp. 419-421, "Detection of HbsAg and HBV DNA in serum and saliva of HBV carriers", PubMed Accession Number: 11127351.						
	Konomi, N. et al., <i>Jpn J Infect Dis</i> , 2000, 53 (2), pp. 70-72, "Simultaneous detection of hepatitis B, C, and G viral genomes by multiplex PCR Method", PubMed Accession Number: 10871918.						
	Cabrerizo, M. et al., <i>Hepatology</i> , 2000, 32 (1), pp. 116-123, "Molecular analysis of hepatitis B virus DNA in serum and peripheral blood mononuclear cells from hepatitis B surface antigen-negative cases", PubMed Accession Number: 10869298.						
	Wang, YM et al., <i>Gastroenterol</i> , 1999, 34 (5), pp. 600-606, "Detection of pre-S/S gene mutants in chronic hepatitis B carriers with concurrent hepatitis B surface antibody and hepatitis B surface antigen", PubMed Accession Number: 10535488.						
	Santos, EA et al., <i>Acta Virol</i> , 1998, 42 (1), pp. 27-33, "Genomic variations of hepatitis B virus strains in patients chronically coinfecting with hepatitis B and human immunodeficiency viruses", PubMed Accession Number: 9645240.						
	Brind, A. et al., <i>J Hepatol</i> , 1997, 26 (2), pp. 228-335, "Evidence for selection of hepatitis B mutants after liver transplantation through peripheral blood mononuclear cell infection", PubMed Accession Number: 9059940.						
	Garbuglia, AR. et al., <i>Arch Virol Suppl</i> , 1992, 4, pp. 113-115, "PCR analysis of HBV infected sera: relationship between expression of pre-S antigens and viral replication", PubMed Accession Number: 1450677.						
	Fernholz, D. et al., <i>J Hepatol</i> , 1991, 13 Suppl 4, pp. S102-4, "Replicating and virion secreting hepatitis B mutant virus unable to produce preS2 protein", PubMed Accession Number: 1822500.						
EXAMINER			DATE CONSIDERED				



RECEIVED

NOV 13 2002

SHEET 2 OF 2

INFORMATION DISCLOSURE CITATION PTO-1449		ATTY. DOCKET NO. 20781-703		TECH CENTER 1600/2900 SERIAL NO. 09/870,358			
		APPLICANT Ching Jin Oon					
		FILING DATE 5/30/01		GROUP 1634			
U.S. PATENT DOCUMENTS							
EXAMINER'S INITIALS	PATENT NO.	DATE	NAME	CLASS	SUBCLASS	FILING DATE	
FOREIGN PATENT DOCUMENTS							
EXAMINER'S INITIALS	PATENT NO.	DATE	COUNTRY	CLASS	SUBCLASS	TRANSLATION	
						YES	NO
						<input type="checkbox"/>	<input type="checkbox"/>
						<input type="checkbox"/>	<input type="checkbox"/>
OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, Etc.)							
	Chen, T. et al., <i>Journal of Clinical Microbiology</i> , 2000, 38 (5), pp. 1977-1980, "Evaluation of quantitative PCR and branched-chain DNA assay for detection of Hepatitis B virus DNA in serum from hepatocellular carcinoma and liver transplant patients".						
	Weinberger, KM. et al., <i>Journal of General Virology</i> , 2000, 81, pp. 1165-1174, "High genetic variability of the group-specific a-determinant of hepatitis B virus surface antigen (HbsAg) an the sorresponding fragment of the viral polymerase in chronic virus carriers lacking detectable HbsAg in serum", p. 1166, "DNA isolation and amplification".						
	Chen, WN et al., <i>Journal of Clinical Microbiology</i> , 2000, 38 (7), pp. 2793-2794, "Hepatitis B virus surface antigen (HbsAg) mutants in Singapore adults and vaccinated children with hight anti-hepatitis B virus antibody levels by negative for HbsAg"						
	Strausberg, RL & Austin MJF I, 1999, 1 (1), pp. 25-32, "Functional genomics: technological challenges and opportunities", http://physiolgenomics.physiology.org/cgi/reprint/1/1/25.pdf .						
	Dangond, F., <i>Physiol Genomics</i> , 2000, 2 (2), pp. 53-58, "Chips around the world: proceedings from the Nature Genetics microarray meeting", http://physiolgenomics.physiology.org/cgi/reprint/2/2/53.pdf .						
EXAMINER			DATE CONSIDERED				

EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609; draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.